IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO 2366 OF 2003
IN
SUIT NO.2085 OF 2003

Rajkumar Kishinchand Sachdev ..Plaintiff.
V/s
Kishnichand Murumal Sachdev
And others. ..Defendants.

Mr. Manish Mistry i/b Mr. M.M.Vashi for the plaintiff.

CORAM : ANOOP V.MOHTA J.

DATE : 13TH SEPTEMBER, 2005.

P.C.

. Heard, the learned Counsel, Mr. Manish Mistry, for the plaintiff. None appeared for the defendants. The matter was on Board on 9/9/2005 and it was called twice on that day. Today again called out twice, none appeared for the defendants.

2. In a suit for partition the plaintiff has taken out this notice of motion on an apprehension that pending the disposal of the suit the defendants are likely to transfer the suit property or create 3rd party interest in the suit property and therefore, on the basis of the submissions made in the supporting

affidavit, by order dated 27th August, 2003, ad interim relief in terms of prayer clause (a) was granted. The said ad interim relief in the facts and circumstances of the case, as referred above need to be confirmed. In view of this position, I am inclined to grant the notice of motion, as prayed in terms of prayer clause (a). Notice of motion is accordingly disposed of. No order as to cost.

[ANOOP V. MOHTA, J.]